

LINCOLN PLANNING BOARD

DECEMBER 14, 2005

MINUTES

The regular meeting of the Planning Board was held on Wednesday, December 14, 2005, at the Town Hall, 100 Old River Road, Lincoln, RI.

Chairman Mancini called the meeting to order at 7:04 p.m. The following members were present: Diane Hopkins, John Hunt, John Mancini, Gregory Mercurio, Gerald Olean and Michael Reilly. Absent was David Lund – his wife notified Chairman Mancini that he may not make the meeting. Also in attendance were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand, and Assistant Town Solicitor Roger Ross. Margaret Weigner kept the minutes.

Chairman Mancini advised six members present; have quorum.

SECRETARY'S REPORT

Mr. Olean made a motion to move Secretary's Report after Item #7 (Correspondence/Miscellaneous).

CONSENT AGENDA

Chairman Mancini stated that any item on the consent agenda could be removed and discussed separately by making a motion. There are seven items on the agenda for consideration. Mr. Ranaldi stated that the applicant for Riverfront Subdivision has offered to have a site visit on January 21, 2006. Chairman Mancini stated that he would like the Consent Agenda to include only the zoning applications. All other items should be discussed under Correspondence/Miscellaneous. Mr. Olean made a motion to pull Correspondence/Miscellaneous items from the Consent Agenda. Mr. Reilly seconded motion. Motion passed unanimously.

While reviewing the zoning applications, Chairman Mancini asked if the Town has existing towers and structures. Mr. Ranaldi stated that there are existing structures and towers in Town as is required by Federal law. There are structures scattered throughout the Town that could handle telecommunications. Each carrier has specific needs and areas with loss of coverage. The zoning ordinance specifies what zoning districts allow telecommunications towers. In this particular application, the tower would sit on two different parcels which would require four variances. Mr. Ranaldi suggested to the applicant that they build a silo at Thibaudeau Farm to hide the tower in, but it would be too expensive.

Mr. Olean made a motion to accept the Consent Agenda as amended. Mr. Hunt seconded motion. Motion passed unanimously.

MAJOR SUBDIVISION REVIEW

a. Lincoln Meadows II AP 45 Lots 2, 181 & 353 Preliminary Plan Angellin, LLC Angell Road Discussion/Approval

Mr. Ranaldi stated that this subdivision falls under the 2001 Subdivision Regulations. The Preliminary Plan submitted received a Certificate of Completeness on October 18, 2005. The Board has until February 14, 2006 to approve, approve with conditions, or deny. A public hearing needs to be scheduled. The applicant has addressed a number of concerns, but there are still issues. The first concern is the lot layout – Lot #18 uses a portion of what is presently approved as Lot #7 in the Lincoln Meadows Subdivision. The plans for Lincoln Meadows were not amended to show the loss of Lot #7. Traffic issues involve sight distance along Angell Road – brush must be cleared to insure proper sight distance. The Lincoln Water Commission has confirmed that water is available to the proposed project. The biggest and most important issue is the sewers – the Town is in favor of a private system. There are two options – a forced main with grinder pumps or a private pumping station, both with a Home Owner's Association (HOA). This is new to the Town, and the Town will be very cautious with documents and deeds. The notice of a private system has to be put in as many places as possible – purchase and sales agreement, deed, etc. Future homeowners must be told that the system is a private system and that the Town will not

maintain it.

Chairman Mancini asked Ms. Wiegand to explain the options. Ms. Wiegand stated that with individual grinder pumps, every home is tied into a low pressure force main, and a private pumping station will have conventional force mains. Either way, the system shall be owned and maintained by a private homeowners' association (HOA). Chairman Mancini asked if grinder pumps would be needed with a pumping station and Ms. Wiegand replied grinder pumps would not be needed. Mr. Ranaldi stated that a grinder pump may require a generator, as there is no storage in grinder pumps. Mr. Mercurio asked how much storage a grinder pump provided, and Ms. Wiegand responded not even a day's worth. Chairman Mancini stated that another option was Individual Sewage Disposal System (ISDS). Mr. Reilly stated that a pumping station was not new to the Town, but Chairman Mancini and Mr. Mercurio stated that a private pumping station was new to the Town. Mr. Hunt stated that it must be listed in the deed restrictions so that everyone will know coming in who is responsible for the system. Mr. Mercurio stated that from previous experience, he knows firsthand that home owners can refuse to pay the required fees, and the Town will be forced to take over the system.

Chairman Mancini asked what experience the Town has with HOA's, and Ms. Wiegand replied only with condos, but it didn't involve sewer systems. Ms. Wiegand stated that a sewer problem would be a

building code issue and the Town could enforce repairs and/or maintenance of it.

Attorney William Landry, representing the developer, stated that they are leaning towards the individual grinder pumps, since it is a cost saver to the developer. Since it is a small residential development, chances are high that a HOA could have problems keeping a Board of Directors. Language has been drafted and sent to Assistant Town Solicitor Roger Ross. The language will be put in Purchase and Sales Agreements to let home owners know that the Town is not responsible – it is a privately owned and maintained system.

Chairman Mancini asked how many lots would be gravity fed and Ms. Wiegand replied that five lots would be gravity fed. Engineer David D'Amico stated that sixteen lots would need grinder pumps. Chairman Mancini stated that he gets nervous with HOA's. Mr. Landry agreed that it can be difficult to find people to be on the Board of Directors – with condos, it's different because there are usually a lot more people involved.

Mr. D'Amico explained that the grinder pump is a singular pump in a tank outside of home. It is an innovated design with little moving parts and is relatively economical to use. When power goes off – and pump is close to full- can not use dishwasher or washing machine – could last for a day or two. A larger storage tank is available, but sales people feel it is overkill to store three days of waste. Mr.

Mercurio asked about the prices of a backup generator and a three-day holding tank. Mr. D'Amico stated that he was not sure of the price, but a larger storage tank (with 48 to 72 hours storage) would be a lot cheaper than a generator. Chairman Mancini stated that it would be extreme for the Board to require generators – would give bigger storage tanks consideration. Mr. Reilly and Mr. Mercurio agreed that a larger storage tank would be better.

Mr. Ranaldi asked Mr. D'Amico to explain the process. Mr. D'Amico stated that there would be a 2" line in street with each house connecting via a 1" line into the 2" line. There would be a shutoff at the property line with a back flow preventer. The sewer line starts small than gets bigger. One line in street would be maintained on a yearly basis. Mr. Olean stated that either way, a HOA was needed. Mr. Mercurio asked who was authorized to clean the force main. Mr. D'Amico explained that with the force main in street, there is less to maintain. Mr. Mercurio stated that the maintenance isn't the problem, it's the HOA. Ms. Wiegand stated that with ISDS, each owner is responsible for their own system.

Mr. D'Amico stated that with the steep slopes, septic systems impact the environment. The grinder pump system is a superior system to ISDS. He asked why the Town wouldn't own the force main and if the sewer crew could clean out the force main. Mr. Ranaldi asked Mr. D'Amico if he had spoken to the Sewer Supervisor and if the sewer department had the equipment to clean out the force main. Ms.

Wiegand stated that if the Sewer Department maintains the force main, a sewer fee could be assessed to cover the costs. Mr. Mercurio asked if the Town maintains the force main with a sewer tax, what the liability to the Town is if damage is done. Mr. Landry stated that he understands the Town's position, that there would be consequences if the Town causes damage, but the municipal function is for the health, safety and welfare concerns. He suggested that one solution may be a combination of everything – grinder pumps, HOA, and maintenance agreements in place. Once a year, the Town blows out the line and charges the HOA.

Mr. Mercurio asked if it is feasible to charge a sewer tax and if it would be sufficient to provide the service needed. Mr. Landry stated that it could be called an impact fee. Discussion went back and forth about how much it would cost for the Town to maintain the force main. Mr. Mercurio asked what happens if the force main is damaged when the Town blows it out. Chairman Mancini stated that everyone calls Town Hall when there is a problem. The town has to have responsibility and will have to maintain if the HOA doesn't. He would hate to see ISDS. Ms. Wiegand stated that after 32 pump stations, she would like to see ISDS. Mr. Reilly stated that ISDS is not the right way to go. Chairman Mancini stated that something has to be worked out. There are other issues, but nothing major. He asked if the applicant was ready for a public hearing. Mr. Landry stated that a public hearing should be scheduled to see if any other issues come up. Chairman Mancini stated that a public hearing would be

scheduled; the concerns are grinder pumps or a pump station. The Town Solicitor will have to advise how to make the homeowners legally responsible. Mr. Mercurio asked how long a pump station would last and Ms. Wiegand replied about 20 years. Mr. Mercurio asked about a bond, and Mr. Landry replied that the bonding company would want a letter of credit. Chairman Mancini stated that they need to know how much maintenance would cost. Mr. D'Amico asked that if the HOA went away, would the Town rather be left with a force main, grinder pumps, and pump station or just a force main. Mr. Mercurio stated that he would rather have the Town maintain a force main than a pump station.

Chairman Mancini asked about the lot layout. Mr. Ranaldi explained that the first phase (Lincoln Meadows) was approved, but that a section of Lot #1 was cut out for the second phase (Lincoln Meadows II). An Administrative Subdivision needs to be completed before approval is given on this subdivision. Mr. D'Amico stated that he would amend the Preliminary Plan for Lincoln Meadows.

Chairman Mancini asked about the traffic/road design and Ms. Wiegand replied that bushes would be cleared to insure proper sight distance.

Mr. Olean made a motion to move to public hearing, with the stipulation that the applicant agree to a time extension after the public hearing, if necessary. Mr. Mercurio seconded motion. Motion

passed unanimously.

b. Lincoln Garden Estates AP 43 Lots 20 & 21 Master Plan Discussion/

Steven, Stuart, & Cara Popovich Old Louisquisset Pike Approval

Mr. Ranaldi explained that he received a fax from the Engineer representing Lincoln Gardens that respectfully requested to have the Master Plan withdrawn without prejudice. Mr. Mercurio asked why the Engineer just didn't ask for more time and Mr. Ranaldi explained that they asked for an extension once already. Ms. Wiegand stated that the applicant has to go to RIDEM for a wetlands permit. Chairman Mancini stated that the applicant would have to start over with Master Plan.

Mr. Olean made a motion to accept the request to be removed from the agenda without prejudice. Mr. Mercurio seconded motion. Motion passed unanimously.

CORRESPONDENCE/MISCELLANEOUS

b. Riverfront Major Subdivision Site Visit

Chairman Mancini asked why a site visit was planned for Riverfront Subdivision and Ms. Wiegand replied that the applicant offered. Mr.

Ranaldi stated that the applicant wanted the Board to see that the entrance is not where the ice problem is. Chairman Mancini accepted the applicant's offer and extended the offer to all Board members. The Board will meet at Town Hall at 9:45 a.m. on Saturday, January 21, 2006.

c. Administrative Subdivision AP 23 Lots 11 & 149 New England Way

Mr. Ranaldi explained that this Administrative Subdivision involved moving a lot line to increase the size of one lot. The subdivision was between the owners of the two lots.

d. Administrative Subdivision AP 12 Lots 359 & 114 Grove and Front Street

Mr. Ranaldi explained that the state sold/gave part of curb to owner.

e. Final Minor Subdivision AP 34 Lot 54 Charles Wood – School Street

Mr. Ranaldi explained that the applicant was granted final approval on the subdivision.

Chairman Mancini stated that he would like more details on Administrative Subdivisions in the future.

Ms. Wiegand asked why there was no legal representation at tonight's meeting.

Mr. Mercurio stated that he had breakfast with Limerock Fire Chief Frank Sylvestre and that the Chief mentioned that the Board looks at infrastructure – water, sewer – and there is a lot of new building going on in Limerock – construction at Lincoln Park, the new Middle School, and subdivisions. His main concern is that Limerock doesn't have its own rescue. Mr. Mercurio feels that the infrastructure should include fire and rescue. Mr. Reilly suggested that Chief Sylvestre bring up the matter with the Rescue Director. Chairman Mancini stated that all boards have responsibility, but the rescue issue falls primarily under the discretion of the Town Council. Mr. Ranaldi agreed that it is a Town Council issue. Mr. Olean suggested that the Rescue Director can address the safety issues through the TRC.

SECRETARY'S REPORT

Mr. Olean made a motion to dispense with the reading of October 26, 2005 minutes. Mr. Reilly seconded motion. Motion passed unanimously.

Mr. Olean made a motion to accept the minutes as presented. Mr. Mercurio seconded motion. Motion passed unanimously.

Mr. Olean made a motion to dispense with the reading of November 16, 2005 minutes. Mr. Reilly seconded motion. Motion passed unanimously.

Mr. Olean made a motion to accept the minutes as presented. Mr. Hunt seconded motion. Motion passed unanimously.

There being no further business to discuss, on a motion made by Mr. Olean and seconded by Mr. Mercurio, it was unanimously voted to adjourn. Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Margaret Weigner

Attached December 14, 2005 TRC Report:

On December 6, 2005 at 3:00 pm, the Technical Review Committee met to review the agenda items for the December 14, 2005 Planning Board meeting. In attendance were Al Ranaldi, Russell Hervieux, Peggy Weigner, and John Faile. Below are the Committee's recommendations:

Major Subdivision Review

a. Lincoln Meadows II AP 45, Lots 2, 181 & 353 Preliminary Plan Discussion/

Angellin, LLC Angell Road Approval

On June 23, 2004, the applicant received Master Plan approval for their twenty lot single family subdivision. According to Section 17-G for the 2001 Subdivision Regulations, “Vesting, the approved master plan shall be vested for a period of one (1) year, with a one (1) year extension possible upon the written request of the applicant, who must appear before the Planning Board for an annual review. Vesting may be extended for a longer period, for good cause shown, if requested by the applicant prior to the expiration of the deadline, in writing, and approved by the Planning Board. Master Plan vesting shall include the zoning requirements, conceptual layout and all conditions as shown on the approved plan drawing and supporting materials.” Unfortunately, the applicant did not realize that their Master Plan Approval ran out. On September 28, 2005, the Planning Board voted to extend the applicant’s Master Plan approval for one year starting from the original date of Master Plan approval. Therefore, the applicant has until June 23, 2006 to secure Preliminary Plan approval.

On October 18, 2005, the Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve

the preliminary plan as submitted, approve with changes and /or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Preliminary Plan review must be made by February 14, 2006 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the 2001 Land Development and Subdivision Regulations preliminary plan requirements and standard engineering practices. The plans submitted are entitled "Preliminary Design Plan for Lincoln Meadows II", 20-Lot Subdivision, Zoned RS-20, AP 45 Lots 1, 2, 181, & 353 located at Angell Road, Lincoln Rhode Island, prepared for Angellin, LLC by Cataldo Associates, Inc., revision date November 29, 2005. A letter report has been received dated October 24, 2005 which addressed the sight distance issue. A "Drainage Report" revision dated August 2004 was previously reviewed. Below are the Technical Review Committee's recommendations.

Traffic/ Road Design - A letter report dated October 24, 2005 was received describing the stopping sight distances available at the proposed intersection of the proposed road across from Maple Avenue. According to this analysis, a section of brush located within the existing right of way and measuring approximately 100' by 20' will need to be removed to insure proper sight distance. This area needs to be shown and noted accordingly on the plans.

The Chief for the Limerock Fire Department in a communication with

the Town Engineer stated that the largest vehicle that would pass over the bridge would be 80,000 lbs. For the final construction plans, the developer must submit detailed plans for the bridge that meets this condition and is certified by a professional engineer.

Groundwater and Storm Water - The section of roadway with 1% slope requires a regular grate, not a high capacity grate as is currently showed on the submitted plans. This pertains to CBs #14 and 15. Engineering recommends that as a condition of subdivision approval, no finished floors or basements shall be allowed to be constructed into the seasonal high groundwater elevation. A note to this effect must be added to the plans as a condition of the approval for this subdivision.

Lot Layout - Proposed Lot 18 uses a portion of what is presently preliminarily approved as Lot 7 in the subdivision Lincoln Meadows. Lot 18 was configured this way in order to comply with the minimum buildable area requirements. The preliminary approval of the seven lot subdivision must be amended in order to include the land in a different subdivision. Proposed Lot 16 contains a drainage outfall and infiltration swale. An easement to the Town for drainage must be shown for this lot as a condition of approval for this subdivision. The proposed easement language must be reviewed and approved by the Town.

Environmental - The developer has a pending application for an

alteration of wetlands with RIDEM. Approval of this subdivision must be granted on the condition of receiving this approval with only minor changes to the proposed plans as presented.

Sanitary sewers - Public sewers are available to this project for gravity flow. However, only gravity sewers in the public road will be owned and maintained by the Town. Therefore, the developer will be responsible to design and provide a private sanitary sewer system. The Town recommends either low pressure sewer with individual residential pumps or a private pumping station with conventional forcemains. Whichever solution the developer chooses, the system shall be owned and maintained by a private homeowners' association. Any proposed documents will have to be reviewed and approved by the Town.

Utilities - Public water is available to the proposed development. According to superintendent of the Lincoln Water Commission (LWC), the subdivision's water line has preliminary approval subject to final construction plan approval.

Final Construction Plans - The following will be required for approval of the final construction plans.

1. Plantings associated with the drainage shall be the responsibility of the developer as a condition of the subdivision construction. Other plantings required by the RIDEM Wetlands permit on individual lots will be the responsibility of the property owner under the building

permit.

2. Final approval of the construction plans by the LW C.

3. For final construction plans the developer must submit detailed plans for the bridge meeting this condition as certified by a professional engineer.

4. An area of approximately 100' by 20' will need to be removed to insure proper sight distance. This area needs to be shown within the existing right of way on the plans.

5. The following notes must be added to the appropriate sections on sheet C1 in conformance with the standards required by the Storm Water Pollution Prevention Plan:

a. For erosion control during construction, temporary mulch shall be installed 14 days after earth disturbance has ceased unless activity is to resume no later than 21 days.

b. The contractor shall prevent the discharge of wastewater into storm water runoff.

c. The detention basins must be constructed in the initial phase of the site work in order to act as temporary siltation basins.

The Technical Review committee recommends that the applicant address the above noted concerns with special attention given to the sanitary sewer system. The TRC can not recommend moving forward in the Preliminary Plan process until these issues are resolved.

b. Lincoln Garden Estates AP 43 Lot 20 & 21 Master Plan Discussion

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- Steven, Stuart, & Cara Popovich Old Louisquisset Pike Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into four conventional single-family lots. The subject lot contains approximately 2.35 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). The proposed homes are to be serviced by a public cul-de-sac road and public water and sewer. This project is in front of the Planning Board for a Master Plan discussion and review.

On July 8, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by November 07, 2005 or within such further time as may be consented to by the applicant. On October 28, 2005, a representative for the applicant submitted a request for a time extension. The request did not specify a specific time frame. Therefore, after reviewing the status of the project and the plans submitted, the Technical Review Committee recommends that the time extension for Master Plan approval be extended an additional 120 days to February 28, 2006.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed development according to the 2005 Land Development and Subdivision Regulation's Master Plan submission standards and requirements and standard engineering practices. The set of plans reviewed were entitled "Major Subdivision Submission, Lincoln Garden Estates", Old Louisquisset Pike, AP 43 Lots 20 & 21, Lincoln, RI, prepared for Steven Popovich and Stuart & Cara Popovich, by Thalmann Engineering Co., Inc. The set of plans are dated March 22, 2005; however the set of plans received by the Engineering Division are dated November 28, 2005 and differs from the previously reviewed sets of the same date. Also included in the previously reviewed submission was a document entitled, "Master Plan- Development Impact Narrative" prepared for Steven Popovich by the above engineer dated March 2005. Below are the Technical Review Committee's recommendations.

Site Plan - There is no indication of any existing wells or septic systems on or within 200 feet of the property. If any private wells or septic systems exist, they need to be located and shown on the plans, particularly any serving the existing residence on Lot 21. If none are found, then a note that no wells or septic systems were found within 200 feet must be listed on the plans. The plans do not present buildable lot calculations for each of the proposed lots. The buildable lot area shall not include marshes, swamps, bogs, brooks, ponds, rivers, river and stream flood plains and banks, and areas with average slope greater than 15%. The TRC has concerns regarding

the buildable lot area for proposed lot number 3.

Utilities - The narrative report describes the proposed subdivision to be connected to public water and sewers via existing lines in Old Louisquisset Pike. The Lincoln Water Commission has reviewed the proposed plans and has indicated that the proposed plans meet with the requirements of the Lincoln Water Commission. Their final approval is required. The nearest public sanitary sewers are in Old Louisquisset Pike. Gravity sanitary sewers are proposed. The sewer line is owned by the Narragansett Bay Commission. Their approval is required as to whether sewers are available to the project.

Roads/Traffic - Access is proposed from Old Louisquisset Pike, a State highway. The location of the entrance must be approved by RIDOT. A Physical Alteration Permit from RI Department of Transportation (RIDOT) is required. Please note that this is also the agency that will need to approve any road opening permit, not the Town. The nearest intersection is at Evergreen Road which appears to be more than 150 feet away. The road crown is shown as 3%. The standard in Lincoln is 2%. No sidewalks are proposed. These two items must be addressed with either a request for a waiver or added to the plan.

Wetlands and Drainage - The proposed detention basin for the development would discharge towards a wetland behind the existing house on Lot 20, next to the proposed subdivision. The report

contains a letter from RIDEM stating that no wetland was found on or immediately adjacent to Lot 21. The wetland verification received from the RIDEM was for Lot 21 only since no work was proposed on Lot 20. Since work is now proposed on lot 20 with a discharge into the wetlands, RIDEM approval will be required.

A condition of any approval should also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as determined by a certified soil evaluator. This must be put in a note on the plans. The soil evaluation was witnessed by the Town Engineer. The proposed grades for the houses appear to meet that condition.

Erosion controls - A separate erosion and sediment control plan will be required. If this plan is also required by RIDEM, the same plan would be submitted to the Town.

The Technical Review committee recommends that the applicant address the above noted concerns with special attention given to the buildable lot area of lot number 3 and the detention basin. The TRC can not recommend moving forward in the Master Plan process until these issues are resolved.

January Zoning Applications

Spiro & Mary Dionisopoulos, 5 Bayberry Court, Lincoln, RI –

Dimensional Variance for the rear yard for a residential addition.

AP 45, Lot 192 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted site plan, floor plan, and application. Based on the submitted plans, the proposed addition can only be placed on the right side of the house due to the existing floor layout. The Committee recommends Approval of this dimensional variance. The TRC feels that this plan represents the least relief required, will not alter the general character of the surrounding area nor impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

New Cingular Wireless, 640 River Road, Lincoln, RI – Use Variance for the construction of a telecommunication tower.

AP 23, Lot 173 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of this application for a Use Variance.

The TRC feels that the proposed site plan and application does not meet any of the standards for a Use Variance as presented in the Zoning Ordinance, does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The Technical Review Committee also feels that this application will result in greater financial gain for the applicant and the property owner by

providing an additional rental income to the property owner. The subject land has already yield beneficial use that conforms to the provisions of the zoning ordinance. The TRC feels that the proposed structure will alter the general character of the surrounding area and impair the intent and purpose of the Zoning Ordinance and the Comprehensive Plan.

New Cingular Wireless, 640 River Road, Lincoln, RI – Dimensional Variance for the rear, side, and height setbacks for the construction of a telecommunication tower.

AP 23, Lot 173 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of this application for a Dimensional Variance. The TRC feels that the proposed site plan and application does not meet any of the standards for a Dimensional Variance as presented in the Zoning Ordinance, does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The Technical Review Committee also feels that this application will result in greater financial gain for the applicant and the property owner by providing an additional rental income to the property owner.

The TRC feels that the Town has existing structures and towers that the applicant can locate onto with minimal zoning relief. The TRC feels that the proposed structure will alter the general character of the surrounding area and impair the intent and purpose of the Zoning

Ordinance and the Comprehensive Plan.

New Cingular Wireless, 610 River Road, Lincoln, RI – Use Variance for the construction of a telecommunication tower.

AP 23, Lot 25 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of this application for a Use Variance.

The TRC feels that the proposed site plan and application does not meet any of the standards for a Use Variance as presented in the Zoning Ordinance, does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The Technical Review Committee also feels that this application will result in greater financial gain for the applicant and the property owner by providing an additional rental income to the property owner. The subject land has already yield beneficial use that conforms to the provisions of the zoning ordinance. The TRC feels that the proposed structure will alter the general character of the surrounding area and impair the intent and purpose of the Zoning Ordinance and the Comprehensive Plan.

New Cingular Wireless, 610 River Road, Lincoln, RI – Dimensional Variance for the rear and side yard setbacks for the construction of a telecommunication tower.

AP 23, Lot 25 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of this application for a Dimensional Variance. The TRC feels that the proposed site plan and application does not meet any of the standards for a Dimensional Variance as presented in the Zoning Ordinance, does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The Technical Review Committee also feels that this application will result in greater financial gain for the applicant and the property owner by providing an additional rental income to the property owner. The TRC feels that the Town has existing structures and towers that the applicant can locate onto with minimal zoning relief. The TRC feels that the proposed structure will alter the general character of the surrounding area and impair the intent and purpose of the Zoning Ordinance and the Comprehensive Plan.

**H.L. George Development Corp, Albion Road, Lincoln, RI – Special Use Permit to conduct a special care residence for Alzheimer patients on property located on Albion Road, Lincoln, RI
AP 41, Lot 44 Zoned: BL 0.5**

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application for a special use permit. Members of the Technical Review Committee have met

several times with the developer and conclude that the requested special use permit and the submitted site plan will not have any adverse effects of the surrounding properties. The Technical Review Committee finds that the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.

H.L. George Development Corp, Albion Road – Dimensional Variance to reduce number of parking spaces for a special care residence for Alzheimer patients on property located on Albion Road, Lincoln, RI AP 41, Lot 44 Zoned: BL 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application for a dimensional variance. Members of the Technical Review Committee have met several times in the past with the developer and conclude that the requested dimensional variance and the submitted site plan will meet the parking requirements of the proposed development and will not have any adverse effects of the surrounding properties. The Technical Review Committee finds that the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.